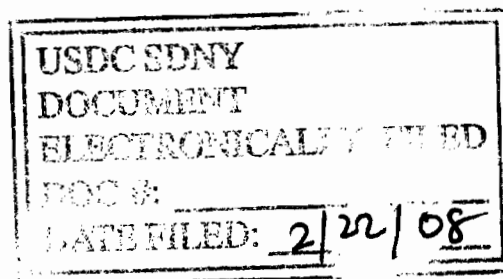


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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

XETHANOL CORPORATION.

Plaintiff,

-against-

DEUTSCHE BANK SECURITIES INC..

Defendant.

$$\begin{matrix} \mathbf{x} \\ - \\ : \\ : \\ : \\ : \\ : \\ : \\ : \\ : \\ : \\ \mathbf{x} \end{matrix}$$

STIPULATION AND ORDER

07 Civ. 11161 (AKH)

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for the parties, that: (1) the return date of defendant Deutsche Bank Securities Inc.'s Motion to Dismiss Plaintiff's Complaint was originally February 15, 2008 and is hereby extended from March 7, 2008 to and including March 14, 2008; (2) Plaintiff shall serve its opposition to the Motion to Dismiss on or before February 29, 2008; and (3) Defendant Deutsche Bank Securities Inc. shall reply to Plaintiff's opposition on or before March 14, 2008. This is the parties' second request for an extension of time with respect to this motion.

Dated: New York, New York
February 21, 2008

MEISTER SEELIG & FEIN LLP

By:

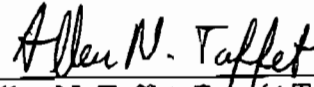


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*Attorneys for Defendant
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SO ORDERED

this 22 day of February, 2008



Honorable Alvin K. Hellerstein,
UNITED STATES DISTRICT JUDGE